Social.

The Case of The Rand School

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To the thousands of persons whose first acquaintance with the Rand School of Social Science has come through the unfair and misleading reports of the Lusk Investigating Committee and who in a spirit of fairness would like to know something of the history and the purposes of the School this booklet is addressed. We ask a careful reading of its pages and an open mind.

RAND SCHOOL OF SOCIAL SCIENCE
7 EAST 15th STREET
NEW YORK CITY
July 26, 1919

MANIFESTO

Issued by the National Civil Liberties Bureau July 18, 1919

The proceeding commenced by the Attorney-General of the State of New York to compel the cancellation of the corporate charter under which the Rand School of Social Science conducts business is a challenge to all liberal Americans. As has been well known for many years, the Rand School has been engaged in the scientific teaching to its students of the academic principles of economic and political Socialism, and other branches of social science, as the educational institution of the Socialist Party which normally polls throughout the country close to a million votes and has elected representatives in many legislative bodies. Its work has at all times been open and above board. No attempt has ever been made to conceal what it has been doing. Its teaching and lecturing staff had been filled both by Socialists and non-Socialists and has in the past contained such distinguished scholars as Prof. Franklin H. Giddings, Prof. Charles A. Beard, Prof. James Shotwell, Prof. Wm. P. Montague and many others, as well as such well-known Socialists as Morris Hillquit, Scott Nearing, John Spargo and Algernon Lee.

The undersigned, who are not members of the Socialist Party, wish to protest in all earnestness against the Attorney-General's attempts to suppress this School. If its teachings are unsound the surest way to demonstrate that fact is to permit them to be heard and observed. The people of New York are capable of making up their own minds about them. The real danger of the situation, however, lies in the immeasurable harm which such coercion of minority opinion does to the processes of orderly discussion of public affairs. If this precedent be established, no opinion which is displeasing to government officials can surely be safe from suppression, and criticism will inevitably be driven underground. How far this departs from traditional American liberty is only too plain. The Attorney-General has started upon a road the end of which no one can see. It is imperatively necessary that all liberal Americans rally to the support of the Rand School in its efforts lawfully to resist his course.

> Stanley Bowmar John A. Fitch J. A. H. Hopkins Paul U. Kellogg Walter Lippman

Allan McCurdy
Rev. John Howard Melish
George Foster Peabody
Don Seitz
Walter Weyl.

Seeking to Silence Truth

The Rand School of Social Science last year had 5,000 students.

Rand students, when they finish their training, go out to be lecturers, street speakers, teachers and organizers in the labor movement. They become leading spirits among their fellows, for they have supplemented their toil-won knowledge of present social and industrial evils with an intelligent, constructive idealism that builds in a new and better

way where the present system fails and collapses.

Not only are they the builders of the new, but they are the critics and the accusers of the old. They put their fingers upon flaws, they point out criminal incompetence in the present way of doing things and they rally the workers to establish a just social system. Through its students, the Rand School has created a high and unique function for itself in the rapidly changing scheme of American life. It is a great educational power plant whose energies are dedicated to the cause of

political freedom and economic justice.

This fact, ominous to those who cling desperately to old things and who abominate progress, was discovered some months ago by those reactionary influences which had taken advantage of the World War to introduce in America those hateful methods of repression and oppression which we have been told were the sole property of the Kaiser and the unlamented Czar. Fearing knowledge more than bombs, the same interests fought labor seventy-five years ago, when by a united front, it forced the establishment of a public school system. Inspired by the fear of truth, they have at all times controlled the public schools and have seen to it that the teacher who tells the truth about the conflict between labor and capital ceased to be a teacher. It was the anger and terror aroused among the reactionaries, trembling lest their grip upon industry and upon society be broken, that engendered the effort to destroy the Rand School. They suddenly discovered what every radical and every liberal had known for years—that the workers, having been robbed of the public schools, had begun to create by untold sacrifice a co-operatively conducted school system of their own and that the institution at 7 East Fifteenth Street, New York City, was the actual, unofficial head of it.

The Weapon of Reaction

The first weapon of reaction is the mob. Controlling the newspapers, intrenched behind an officialdom which it had installed for its own purposes, free to inspire and to perpetrate outrages at its will, Reaction sought to destroy the "workers' university" by wrecking the People's House and the physical

property of the institution. The first of these mobs, composed of stripling youths in uniform, attacked the People's House on the night of November 25, after a Mooney protest meeting

by Socialists at Madison Square Garden.

Led, it is reported, by a Canadian who never had worn an American uniform, but who had attained public notice, not as a soldier, but as a dealer in strikebreakers, this mob broke the windows of the building and was attempting to gain entrance, when it was dispersed by police reserves who had arrived from Madison Square Garden where other men in uniform had cracked the heads of citizens who had attended the meeting.

These were not city youths. They knew nothing of city life, of Socialists or of labor organizations. It was freely stated afterwards that they had been marshalled and instructed at the headquarters of a pseudo-patriotic society supported by corporations. They had been inspired and promised

protection by the special pleaders of Big Business.

Two other minor attacks, one of them at least said to have been inspired by a man who had been stripped of his captaincy and shuffled out of the army "for the good of the service," came to naught because the promoters of the mobs could not succeed in gathering a sufficient number of soldiers who could be misled as to the actual purposes and activities of the School.

Riots and Writs

Then came the riots of May Day. Stirred, as before by sensational stories in the capitalist press, instructed and drilled by labor haters, led by a man whose business was procuring strikebreakers, a mob of several hundred boys in uniform ran riot through the city for hours. None of them wore overseas stripes, none of them had smelled powder, none of them had come from cities. They stormed several radical gathering places, among them the Rand School.

The doors were locked against them, but they began streaming up the fire escapes to the library on the second floor. Those who gained entrance before the police dispersed them, were talked to by those on guard at the School. They gave up their violent intentions almost immediately and left quietly. The fourth raid on the School had failed of its

purpose.

The reactionaries did not quit, however. The business of organizing mobs of ignorant country boys in uniform was given up as futile and the forces which desired the destruction of the School were forced to come into the open. Reaction no longer relied upon the stupid instruments which had so often failed it. The next implement it used was the labor-hating Republican Union League Club, the most aristocratic social body in America. In this club was born the anti-labor scheme which resulted in the appointment of the Lusk legislative committee.

Acting under search warrants which, attorneys say, are clearly illegal, representatives of the Lusk Committee, accompanied by ten members of the state constabulary and fifty-five former members of the American Protective League, which disbanded when it was repudiated by the federal Department of Justice, led by Archibald E. Stevenson, Union Leaguer, who was also repudiated by the War Department, and by Clarence L. Converse, formerly a private detective for an express company, descended upon the School June 21. Many of them bore arms.

Books, papers and documents in the building, some of them the property of the School and some of them property of organizations not mentioned in the search warrants, were carried away, despite the warnings of S. John Block and I. M. Sackin, attorneys for the School. Two days later, again despite the attorneys' warning that the proceeding was unlawful, part of the raiders returned and drilled open the safe containing books and papers belonging to the Society of The Commonwealth Center, Inc., which owns the People's House.

Battle in the Courts

Then began the battle in the courts. Samuel Untermyer, whose letter to the chairman of the Lusk Committee appears in another part of this booklet, joined the Rand School forces

as an unpaid attorney "acting in the public interest."

Proceedings were begun to recover the property and to vacate the search warrants, under which the property was not only unlawfully seized, attorneys tell us, but unlawfully used by the Lusk Committee for "a vicious and widespread propaganda" against the School. Action to annul the charter of the American Socialist Society, which conducts the School, was begun in the name of the state by the Attorney-General. A writ of prohibition has been asked by the School to prevent the misuse of its property by the legislative committee and by Magistrate McAdoo, Attorney-General Newton and others. Punitive action against the public officials who have broken the law in the attack upon the School will be brought, Mr. Untermyer has announced. It is probable that the attorneys will be busy in court for at least six months owing to the wide ramifications of the case.

While the campaign of violence against the institution was being carried out, there were government secret service men and spies of various sorts attending classes and hanging about the building. For at least a year and a half, the School was under the strictest sort of espionage. The sum total of this espionage was the indictment of Scott Nearing upon a charge of interfering with enlistment of soldiers and sailors by writ-

ing "The Great Madness."

Mr. Nearing was acquitted by a jury in the United States district court. By one of those freak verdicts which are sometimes rendered, the School was fined \$3,000 for publishing and selling the pamphlet, which the jury said that Mr.

Nearing did no wrong in writing. The case is now pending in a higher court on a writ of error. The judge of the district court set aside the conviction of the School upon one count in the indictment. This unsettled verdict is the chief pretended basis of the effort to annul the School's charter.

What the next attack of the reactionaries will be, no one can guess. The Rand School, however, has met all assaults by an unceasing demand for the opportunity to tell its story under oath of the members of its staff before the Lusk Committee and in the court. The opportunity to be heard in the

court is near at hand.

Then the truth, the full truth as to the effort to wreck a workers' educational institution because it brings to labor the knowledge by which it may attain and defend its rights, will be told. But not until then.

The principal charges brought against the American Socialist Society in the action to annul the charter under which The Rand School of Social Science operates are in substance:

That the School has taught its students to hold the government of the United States "in utter contempt and contumely" and that it has discouraged enlistment during war time. (This charge is apparently based upon the Nearing case, which resulted in Mr. Nearing's acquittal.)

That it has advocated the "overthrow of the government"

by unlawful means."

That it does not teach "scientific Socialism," as it advertises.

That it sends out anarchists as lecturers.

That it is seeking to arouse negroes to "overthrow the government by unlawful means."

When Justice McAvoy of the Supreme Court was hearing a Deputy Attorney-General's argument for an immediate injunction and receivership for the School pending the trial, which would have ended its activities, the justice created a laugh in the court-room by saying humorously:

"I must see whether or not there is any danger of the Gov-

ernment being upset meanwhile."

The court refused to grant the injunction or to order a receivership until the case to annul the School's charter should be heard and the truth ascertained.

The following letter from Mr. Sam'l Untermyer was the first public protest against the actions of the Lusk Committee and was effective in calling a halt to its unscrupulous and illegal methods. It was followed by the manifesto signed by ten non-Socialists, issued by the Civil Liberties Bureau, and by editorial comments in numerous liberal publications and daily newspapers, excerpts from which are printed elsewhere in this pamphlet.

Hon. Clayton R. Lusk, Chairman, Lusk Committee, Murray Hill Hotel, New York City.

Dear Sir:-

Although it is well known that I am a pronounced anti-Socialist because of my conviction that the governmental policies of Socialism are not practicable and workable and that as a constructive program it is little more than a beautifully iridescent dream, I have always realized that the Socialist Party has been of great service and is destined to be of still greater service in curbing and correcting the greed and injustice of the capitalistic system and that its usefulness as an opposition party has been fully vindicated.

For that reason, and because I have felt greatly alarmed and outraged at the lawless and reckless action of your Committee in bringing about the raiding of the offices and the blowing open of the safe of the Rand School, I consented a few days ago, in the discharge of what I conceive to be a high public duty, to respond to the appeal of the Rand School and its counsel for my professional aid in advising it as to its legal rights in the emergency that you have precipitated.

I did so largely because I believe that your incredibly unlawful and despotic action and that of your counsel and the misleading sensational newspaper campaign your Committee is conducting in the deliberate and vicious efforts to confuse the intellectual law-abiding wing of the Socialist Party with those elements which counsel violence and whose theories and practices are diametrically opposed to one another, are more perilous and prolific breeders of Bolshevism and revolution and do far more to foment and encourage disorder and contempt for law than all the revolutionary conspiracies against orderly government combined, and I intend in the public interest to do my humble part toward bringing and keeping you within the limits of the law that you are violating and defying.

If you are permitted to continue unchecked in your ill-advised activities you will soon drive the many hundreds of thousands of those law-abiding citizens (whose views of government are totally at variance with mine) into the camp of the desperate enemies of constituted authority whose criminal operations all of us are anxions to suppress and punish. Whatever may be our differences as to the wisdom or practicability of the economic view of the Socialists who are engaged in peaceful propaganda (and there is a wide divergence between their views and mine), they are entitled to peacefully debate and exploit them without being branded and pursued as criminals.

Your Committee, or whoever is advising you, seems absolutely devoid of discrimination or of knowledge of conditions in this city and appears to have a positive genius for blundering which may prove very costly to all of us. I shall spare no pains to prevent your misguided efforts to interfere with the constitutional rights of free speech of the dignified and law-

abiding people connected with the Rand School, which I regard as the most effective safety valve of a true democracy. Until within the past few days, I knew nothing about the Rand School or its affiliated organizations but have now informed myself on the subject and am deeply concerned over the issues that your Committee has raised.

There is a library connected with the Rand School which conducts also a book store for the sale of books and periodicals. Its printed catalogue, which I have now seen for the first time, embraces thousands of books, mainly classics and economics, among which, it appears, you have discovered one periodical and two or three books from which you have extracted and published occasional sentences containing discussions on birth control, revolutionary changes in government and the like. You have deliberately attempted to distort these few instances in the public prints so as to create the false impression that this is the general character of the teachings of the School, when in point of fact the School apears to be an educational institution of an unusually high order, with courses of studies taught by some of the most eminent professors in the country, most of them holding positions in the great universities of the country.

The New York Public Library and probably every other great public library and book store has on its shelves hundreds of books of the character you condemn to every one that the Rand book store or library contains. Why not seize their property and blow open their safes under an improvi-

dently granted warrant and try to close their doors?

In order to magnify the importance of your attack on the Rand School you have gone so far as to induce the Attorney-General to bring an unfounded action to cancel the Charter of the School and for a Receiver which he will have ample opportunity to regret. It is not surprising that an Attorney-General who would hand over for publication papers that were seized under an unlawful search warrant, that were entrusted to him by the Court in whose custody they were supposed to be held, would bring any kind of a suit to further your sensational purposes, but I fear that both of you are playing with fire and urge you to stop before you do irreparable injury to the conservative elements in the community.

There should be ample evidence available against the lawless revolutionary elements in this City if your Committee will only look about you with the aid of men who are conversant with our conditions, instead of going off on a false scent and driving the innocent into the arms of the guilty.

If you are not the unfortunate victims of ignorance, or reckless, unlawyer-like legal advice, you must have known that you were transgressing the law in using and publishing widespread the documents that were forcibly and unlawfully taken from the Rand School and its affiliated societies and in blowing open the safe, extracting and making use of its contents without even affording these people the opportunity

of a hearing in self-defense. You might with equal justifica-

tion have raided any book store in New York City.

I am told that your Committee has even gone to the amazing lengths of excluding the counsel for the Rand School and its representatives from the hearing room whilst you were reading into the record and publishing to the world extracts from the papers seized and to the possession of which you know you were not entitled and the contents of which you secured by unlawful means.

I am further informed that at one time your star-chamber proceedings went to the extent not only of excluding the public but that you have at times heretofore even barred newspaper men from your sessions, and that at the end of each day's so-called "hearing" typewritten statements of your version of the supposed "testimony" and the slurring remarks of counsel and yourself against people who are absent and are given no opportunity to be heard, were distributed for

publication.

I note from yesterday's reports of your proceedings that most of the day was consumed in the farcial and extravagant procedure of reading into the record long extracts from periodicals subpoened from the files of the New York Public Library containing revolutionary articles. Yet the Public Library is not raided and I have heard of no suit by the Attorney-General to revoke its charter for keeping on its shelves the same class of literature on account of which action has been taken against the Rand School.

I am satisfied that when the manner of conducting this inquiry is understood, as it soon will be, your so-called "investigation" will meet with the discredit that it deserves and that the most welcome step that could now be taken in the public interest would be for the Legislature to investigate the

methods and operation of its investigators.

A few days ago I was appealed to by Miss Zona Gale, the well-known authoress, on behalf of Professor Scott Nearing, whom I do not know and have never seen, to endeavor to secure for that gentleman the high privilege, which you have summarily denied him, of being promptly heard before your Committee so that he may "by your grace" have the opportunity of answering the charges affecting him that have issued

from your press bureau.

I observe in that connection that you are reported in yester-day morning's papers as announcing in response to a like earnest and almost pitiful request from Professor Nearing to your Committee for an opportunity to be heard—a request that should appeal to every decent man's sense of justice, that you do not propose to listen to "soap-box" oratory. If, as I have no doubt, that remark was made by you with the authority of your Committee it is a more eloquent arraignment of your attitude than your worst enemies could construct. Just think of it! You charge a citizen ex parte with merchandising his political convictions for pay and when he asks leave to

explain and defend his reputation you deny him the right and apply to him, a man of recognized learning (however wrong may be his economic point of view), the opprobrious epithet

of a "soap-box" orator!

You have likewise ignored the request of Mr. Algernon Lee, made on the day you seized the Rand School papers, for an opportunity to place before your Committee and through it before the public a statement of the work and purposes of the School and to demonstrate that it is and always has been a law-abiding educational institution that is opposed to force and revolutionary methods. In that way you do your utmost to deprive it of the legitimate support on which it must depend for existence, without listening to what it has to say. In order that your vindictiveness shall have no limit and so that it shall appear that your activities are bearing fruits you procure a pliant and partisan Attorney-General to further embarrass and discredit the institution by a grotesque action to revoke its Charter on a fantastic ground that is without precedent.

If you believe that these outrages against the proverbial American sense of fair play and your persistent refusal to give these people an opportunity to be heard will be tolerated or that they will not react against the repute and usefulness of your Committee, you little understand the American spirit.

When your Committee began its inquiry I was gratified and hopeful that it would by legal evidence and orderly procedure expose the dangerous elements that are lurking in our community and I so expressed myself, but your methods and particularly the extraordinary antics of your counsel have destroyed any such hope. The incompetent, unproved hearsay "drivel" that is being introduced into the records of your proceedings affecting the reputations of men and of public institutions with the same solemnity as if it were legal evidence and the urbanity with which lawyer members of your Committee permit it, surpass all understanding.

I herewith formally demand:

1. That your sessions be hereafter openly held so that the public may know what you are doing and the methods you are employing, with a view of bringing the crushing force of an aroused public sentiment to bear upon your activities.

2. That you grant to Professor Scott Nearing and to Mr. Algernon Lee an immediate public hearing so that they may have the opportunity of explaining the scope and character of the work of the Rand School and of replying to the ex parte charges that you have been circulating against them through the medium of your publicity bureau. That you also afford to any person whom you hereafter assail, a prompt opportunity to be heard in his defense, which is obviously the only fair thing to do and the only way of restoring the public confidence that you have forfeited. There is much really valuable work for you to do, but you are paralyzing your ability to accomplish anything but harm.

3. That at your peril you forbear using any of the documents of which you are in unlawful possession and that you forthwith return them to the Court where they belong and

from which they were extracted.

I desire also to advise you that steps will be taken to vindicate the majesty of the law that you and your Counsel and others acting with you have violated. The safety of the community in these times of unrest imperatively requires that powers such as are lodged with you shall not be prostituted. You have the right of subpoena and you are well aware that if you wanted and were entitled to the production of any of the books and papers that you seized by blowing open that safe, it was your duty to have secured them in an orderly way instead of by force and that you would have experienced no difficulty in securing them. They proved to be about as inocuous as your method of securing them was unlawful and deliberately sensational.

It is also your duty to let the public know what you are doing and to give those concerned a prompt opportunity to be heard. I shall do my utmost to compel you to keep within the limits of your powers. Of all times in our history the safety of our institutions demands it at this particular time, lest in sheer desperation you drive the vast army of law-abiding intellectual radicals into the arms of the lawless, dangerous elements whose activities you were delegated to

investigate.

Yours truly, (signed) SAMUEL UNTERMYER.

P. S.—I believe, although I have no evidence of the fact, that the country is honeycombed with plots and conspiracies against constituted authority that ought to be exposed, suppressed and punished whilst your Committee is frittering away its time and spending the public money in "unearthing" publications that have been public property for years.

I am, accordingly, greatly relieved to learn from this morning's reports in the papers that, having failed to achieve any result, you are "passing the buck" to the District Attorney, who knows the difference between criminal offences against

the law and the suppression of free speech.

The Story of the Rand School

I am a native of the State of Iowa, of American parentage, and have resided in the City of New York since 1899. I have been active in the Socialist Movement for twenty-four years. I was one of the incorporators, and am still a member of the American Socialist Society, and I was for several years a member of its Board of Directors, and during a part of that time I was its Secretary. I took part in founding the Rand School of Social Science, and have been actively connected with it from the beginning, as a member

of its teaching staff and latterly as director of its educational work. The statements of fact which follow are based on my personal knowledge of the affairs of the Society and of the School.

The American Socialist Society was incorporated in the year 1901. During the first five years of its existence, it arranged a number of lecture courses and classes for the systematic study of Economics and Socialism, and matured plans for the School of Social Science whose establishment had been contemplated from the start.

The Rand School of Social Science was established in the year 1906. For the first six years, it was housed in an old-fashioned "brownstone-front" building at 112 East 19th Street. In 1912, as no renewal of the lease for these premises could be procured, the School was removed to a house of similar type at 140 East 19th Street, which it occupied until the Fall of 1917. It then obtained quarters in the People's House, at 7 East 15th Street, which had just been acquired by the Society of the Commonwealth Center.

The People's House is a brick and stone structure, about 75 by 100 feet on the ground and six stories high. The Rand School of Social Science, as a tenant of the Society of the Commonwealth Center, occupies the whole of the second and third floors, and portions of the first, fourth, fifth and sixth floors of this building; the other portions being held by sundry other organizations, likewise as tenants

of the Society of the Commonwealth Center.

In these premises the Rand School carries on numerous lecture courses, classes, and seminars, which are attended by great numbers of students of both sexes, a large proportion of whom are wage-workers, and some of whom come from distant parts of the United States and Canada, in order to study here. It maintains a Reference Library and Reading Room, which is open to the public without charge. It conducts a Department of Labor Research, which edits the American Labor Year Book, and which also makes investigations into various economic, statistical, and other subjects for the service of various trade unions and other bodies. It maintains a Gymnasium and a Clubroom for the use of its student body. It conducts a book store, which carries a large and varied stock of books, pamphlets and periodicals, principally dealing with historical, economic, political, and social subjects, but including also natural science, philosophy, essays, fiction, poetry, dramatic works, reference books and so forth. From these premises, the School also directs extension classes in outlying parts of the city and neighboring places, and correspondence courses for study classes and individual students in all parts of the country, and conducts a bureau to provide lecturers for political and educational clubs, trade unions, forums, and other organizations not otherwise connected with the School.

How the School Has Grown

In the first year—that of 1906-'07—the number of persons enrolled for one or more courses in the Rand School was about 250. In 1916-'17, the eleventh year, the number of students registered was about 1,500, and the building which the School then occupied was greatly overcrowded. In 1917-'18, the first year in the People's House, over 4,000 students were enrolled, and in 1918-'19, the number exceeded 5.000, with fully 100.000 attendances (each student, on the average, attending about twenty sessions)-exclusive of unregistered single admissions at popular lectures. These figures do not include the members of extension classes and correspondence classes.

The business of the Rand Book Store has grown to corresponding proportions. In the last year, its sales amounted to more than \$50,000. The whole profit from this business, except so much as is reinvested in additional stock, is turned over to the Rand School, to help cover the deficit incurred in its teaching work. The book store is conducted in a strictly business-like manner, and has established favorable credit relations with all the leading pub-

lishers and book dealers.

In connection with the book store, the Rand School has published a number of original works and reprints. Among these are the following:

The American Labor Year-Book, of which two volumes have been issued and a third is in preparation.

Socialism Summed Up, by Morris Hillquit.

From Fireside to Factory and Woman of the Future, by Meta Lilienthal.

Must We Arm? by Morris Hillquit and Augustus P. Gardner, M. C.

Work and Pay, The Coal Question, The Great Madness, The Menace of Militarism, and Labor and the League of Nations, by Scott Nearing.

American Socialists and the War, edited by Alexander L.

Trachtenberg.

Food and the People, by Louis Waldman.

The Socialists in the New York Assembly, by August Claessens and William M. Feigenbaum.

Claessens and William M. Poord of Aldermen, by Evans Clark

The Socialists in the Board of Aldermen, by Evans Clark

and Charles Solomon.

Public Ownership Throughout the World, by Harry W. Laidler.

The Soviets at Work, translated from the Russian of

Nikolai Lenin.

The Bolsheviks and the Soviets, by Albert Rhys Williams. Other works are in preparation, among them one by Rev. Judah L. Magnes on Germany and Russia at Brest-Litovsk.

With a few exceptions, these books and pamphlets are not of a propaganda character, but are scientific presentations of historical and statistical fact, with comments and conclusions therefrom. Several of them have been purchased largely by public libraries, research institutions, college professors, and information departments of great corporations, as well as by the general public.

How the School Is Financed

The students in the Rand School pay tuition fees, which vary somewhat in different courses, but average about twenty cents per lecture or class session. As the size of most of the classes is limited, in order to assure efficient teaching, these fees fall far short of meeting the expense incurred in conducting the School's teaching work.

The establishment of the Rand School was made financially possible through a deed of trust executed by the late Mrs. Carrie Rand, a veteran of the Abolitionist movement, who left a considerable sum in the hands of trustees. with provision that a fixed portion of the income therefrom should be paid semi-annually to the Rand School, until her grandsons should respectively attain a stated age and should withdraw their shares of the capital. During the first few years this fund yielded the School about \$7,000 a year; but it has since been diminished, and last year it yielded only \$1,500. This revenue will entirely cease within a few more years.

The profits from the Rand Book Store help materially toward maintaining the School. Something is derived from occasional balls, concerts, and other benefits. The remainder of the deficit is met by contributions from individuals and organizations interested in the School's work.

In the year 1918-'19, the cost of maintaining the School (exclusive of the book store budget) was approximately \$45,000. Tuition fees yielded about \$22,000, and book store profits, \$10,000; and the balance was covered in the ways indicated above. A large part of the contributed income was in amounts varying from 25 cents to \$10, given by former students and other friends. More than 80 per cent of the School's total revenue comes from thousands of wageworkers in New York City and other parts of the United States.

The deficit would be much larger, were it not for the fact that the School's officers, teachers, and lecturers, being heartily devoted to its educational purpose, give their services for much less than is usually paid for work of the same character. The Rand School has never paid salary or compensation of more than \$2500 a year to any member of its staff.

The Society and the Staff

The Rand School is the property of the American Socialist Society, a membership association, incorporated under the laws of the State of New York. This Society holds four regular meetings each year and such special meetings as may be necessary. It annually elects a Board of Direc-

tors of nine members, which Board elects the officers of the

Society and appoints the chief officers of the School.

When first organized, the School was managed by an officer known as the Secretary, directly responsible to the Board of Directors. This position was held for nearly four years by Mr. W. I. Ghent, a native of the State of Indiana, and a well-known writer of books and magazine articles. Toward the close of 1909, Mr. Ghent desiring to take up other work, his resignation was accepted with regret by the Board of Directors, and I was appointed to succeed him. A year or two later, the position of the Secretary of the Rand School was abolished and a division of functions was effected, under two co-ordinate officials, an Educational Director and an Executive Secretary, both responsible to the Board of Directors. I was then appointed as Educational Director, and the position of Executive Secretary was entrusted to Mrs. Bertha H. Mailly, who is a native of the State of Illinois and a graduate of Cornell University.

The principal instructors in the Rand School, besides myself, are Mr. David P. Berenberg, a native of the United States and a graduate of the College of the City of New York; Dr. Scott Nearing, a native of the United States and formerly a member of the faculty of the University of Pennsylvania; and Mr. Alexander L. Trachtenberg, a naturalized citizen of the United States and a graduate of Trinity College and of Yale University. Numerous other men and women have lectured or taught in the School during the last year, though not principally employed here.

Noted Lecturers and Teachers

The following is an incomplete list of those who have lectured or taught in the Rand School during the thirteen vears of its existence:

Prof. Charles A. Beard, historian, formerly of Columbia University, now of the Bureau of Municipal Research.

Professors Franklin H. Giddings, Alexander Goldenweiser, Benjamin B. Kendrick, William P. Montague, David Saville Muzzey, James Harvey Robinson, E. M. Sait, and James T. Shotwell of Columbia University.

The late Prof. Lester F. Ward, sociologist, of Brown Uni-

versity.

Prof. David Starr Jordan, biologist, of Leland Stanford

University.

Prof. Willard C. Fisher, economist, of New York University.

Professors Ellen Hayes and Vida D. Scudder of Wellesley

College.

Professor Charles Zueblin, formerly of Chicago University, lecturer and writer on municipal affairs.

Miss Juliet Stuart Poyntz, formerly instructor in Barnard

Prof. Dorothy Brewster, of Teachers' College.
Prof. George R. Kirkpatrick, formerly of Albion College.
Dr. Harry W. L. Dana, formerly of Columbia University.
Mr. Evans Clark, specialist in municipal affairs, formerly
of the faculty of Princeton University.

Dr. Robert Lowy, anthropologist, of the American Museum of Natural History.

Mr. John Fitch, industrial expert, of the New York School

of Philanthropy.

Dr. I. M. Rubinow, statistician and authority on Social Insurance.

Dr. N. I. Stone, statistician and authority on tariffs and

wage-rates.

Dr. I. A. Hourwich, statistician and authority on immigration and on Russian economic conditions.

Dr. G. B. L. Arner, statistician, formerly of Dartmouth College.

Dr. P. A. Levene, of the Rockefeller Institute, one of the

foremost physiological chemists of the United States.

Dr. George M. Price, of the Joint Board of Sanitary Control in the Garment Industry, authority on industrial hygiene.
Dr. Alexander Fichandler, Dr. B. C. Gruenberg, Miss
Jessie Wallace Hughan, Miss Alma Kriger, Dr. Gabriel R.

Jessie Wallace Hughan, Miss Alma Kriger, Dr. Gabriel R. Mason and Mr. Max Schonberg, all teachers of high standing.
Mr. Walter N. Polakov, a prominent consulting engineer.
Dr. Frederic C. Howe, authority on municipal affairs, now United States Commissioner of Immigration.
Dr. John Dillon, formerly New York State Commissioner of Food and Markets.
Mr. Morris Hillquit, lawyer, publicist, and authority on coincide Scaling.

scientific Socialism.

Mr. Meyer London, Member of Congress.

Judge Jacob Panken, of the Municipal Court.

Mr. August Claessens and Mr. A. I. Shiplacoff, Members of the New York Assembly.

Mr. B. C. Vladeck, Member of the New York Board of

Aldermen.

Mr. James H. Maurer, President of the Pennsylvania State Federation of Labor.

Mr. Duncan McDonald, President of the Illinois State Fed-

eration of Labor.

Miss Alice Henry, of the Woman's Trade Union League. Mr. Joseph Schlossberg, General Secretary of the Amalgamated Clothing Workers of America.

Mr. James H. Duncan, of the International Association of

Machinists.

Mr. Samuel E. Beardsley, of the International Jewelry Workers' Union.

Mrs. Florence Kelley, of the National Consumers' League.

Mr. Owen R. Lovejoy, of the National Child Labor Committee.

Mr. John Jones, of the British Steel Workers' Union.
Miss Helen L. Sumner, formerly of the American Association for Labor Legislation, now of the United States Children's Bureau.

Dr. Henry Neumann, of the Brooklyn Ethical Culture

Society.

Dr. James P. Warbasse, President of the Co-operative League of America.

Dr. W. E. B. DuBois, writer and lecturer on Negro affairs.

Mr. Lajpat Rai, Indian educator and publicist.

The late Francis Sheehy-Skeffington, Irish publicist and historian. Mr. William Butler Yeats and Mr. Padraic Colum, Irish

litterateurs.

Mr. Louis B. Boudin, lawyer and writer on scientific Socialism.

Mr. John Spargo, writer and lecturer on scientific Socialism.

Rev. John Haynes Holmes, of the Church of the Messiah.

Mr. Oswald Garrison Villard, publisher of the "Nation."

Mr. Robert Ferrari, lawyer and criminologist.
Mr. Robert W. Bruère, writer on labor questions.
The late Jack London, novelist.
Mr. John D. Barry, Mr. Max Eastman, Mrs. Charlotte
Perkins Gilman, Miss Muriel Hope, Miss Fola La Follette, Mr. John Ward Stimson, Mrs. Marion Craig Wentworth, Mr. Eugene Wood and other well-known men of letters.

Mr. Herman Epstein, composer and musical critic.
Mr. Eugene Schoen, architect and lecturer on art.
Miss Mary MacArthur, of the British Woman's Trade

Union League.

Mme. Aino Malmberg, authority on Finnish Affairs. M. Henri La Fontaine. Member of the Belgian Senate.

The Rand School's Purpose

The purpose of the Rand School, as originally conceived and as adhered to throughout, is twofold: 1. To offer to the general public facilities for the study of Socialism and related subjects; 2. To offer to Socialists such instruction and training as may make them more efficient workers in and for the Socialist and Labor movement. With the growth of the Socialist Party in numbers and influence, the diversification of its tasks and problems, its increasingly close relations with the progressive trade unions, and the developing interest of the general public in political, economic and social questions, the actual field of the school's work has continually broadened and its activities have been specialized and extended to a great variety of topics.

Among the subjects upon which courses have been

given in the Rand School are the following:

General Social History, Anthropology and Sociology.
Modern World History and Current History.
Economic and Political History of the United States.
Special courses on the Irish, Russian, Indian, Chinese and

Negro Problems.

Problems of Reconstruction.

History of Socialism, Trade Unionism, and Co-operation.

Elements of Political Science, Comparative Government and American Civics and Politics.

Elements of Economics, Advanced Studies in Economics, Elements of Statistics, etc.

Elementary and Advanced Studies of Socialism in Theory and Practice.

and Practice.

Labor Problems and Trade Union Methods. Labor Legislation, Social Insurance, etc.

Studies in Government and Municipal Ownership.

Elements of Criminology. Principles of Natural Science. Personal and Social Hygiene.

Personal and Social Hygiene.

History of Philosophy and Problems of Philosophy.

Applied Psychology and Logic and Teaching Methods.

Social Aspects of Art, of Music and of Literature and the

Drama, History of Literature and Appreciation of Literature.

English Grammar and Composition—Elementary, Intermediate and Advanced.

Public Speaking, Use of the Voice, Oral Reading and

Correction of Foreign Accent.

Methods of Research, Organization Methods, Office Methods

Parliamentary Law.

ods, Parliamentary Law.

In all branches, a consistent effort is made to avoid dogmatic teaching. The aim of the instructors is not to instil beliefs into the minds of the students or impose conclusions upon them, but to aid them in the stating of problems, the finding of sources of information, the verification of facts and criticism of opinions—in a word, to cultivate habits of

study and of independent thinking.

In accordance with this ideal, the Rand School has availed itself of the services of many lecturers and instructors who are not Socialists and whose opinions on many subjects differ widely from those held by the persons who direct the School's work. The School wishes its students to hear all sides and judge for themselves, and it encourages them to ask questions and to comment freely upon the views pointed out by the teachers. Outside lecturers, such as the numerous college professors named above who have given courses in the Rand School, have uniformly expressed gratification at the mental avidity, the earnestness and the open-minded attitude of the student body.

Workers Who Are Thinkers

As has already been said, the majority of the students in the Rand School are wage-workers—laborers, mechanics, factory operatives, and office employees; but there is also a considerable number of professional workers, school teachers, housewives, and other elements. The greater part of the students are already either avowed Socialists or, at any rate, sympathetic with Socialism, before they come to the School. A large proportion of them are members of trade unions.

Most of the lectures and classes are held in the evenings or on Saturday afternoons and Sundays, so as to accommodate those who work for a living. As a rule, each subject is treated in a course of twelve or twenty-four sessions, the class meeting once or twice a week through a period of three months. In some cases, however, and especially in the teaching of English, there are three or four sessions a week. Also, there are some courses consisting of fewer than twelve lectures. Each student is free to take up as few or as many courses as he sees fit. It has been calculated that, on the average, within any one year, each student attends about twenty sessions; but some may attend as few as six, others as many as a hundred and fifty sessions or more. Some persons continue to attend classes in the Rand School for two, three or four years.

Three special groups of students should be mentioned—those of the Summer School, of the Full-Time Training

Class and of the Part-Time Training Class.

In 1918 and 1919 the Rand School has had summer sessions, attended chiefly by students from out of town, who give practically their whole time to study here for two,

four or six weeks, attending twenty-five or thirty sessions a week during that time.

Each year from 1911-'12 till 1918-'19 the Rand School has given what is known as the Full-Time Training Course, beginning in November and ending in May, with classes numbering from ten up to thirty in the various years. Most of the members of these classes come from out of town, some of them from as far as the Pacific Coast. They devote practically their whole time, through the six-month term, to systematic study and field work. Some of them subsequently find employment either in the Socialist Party, or in various trade unions and co-operative societies, or on the labor press. Others go back to their trades, and do volunteer work in their leisure time for the movement in their respective localities and organizations.

In 1918 the Rand School began to offer a similar training course under a plan which makes it available for wageworkers living in New York City who cannot well give up their regular employment for six months. Under the plan the students are to attend about six evening sessions a week through the greater part of two years, and cover nearly the same ground as is covered in the Full-Time Course. Some thirty persons are now pursuing this course.

The Correspondence Department was established in 1912, and more than 4,000 persons have taken up one or more correspondence courses during these seven years. These students generally form classes of from five to thirty members each. Such classes have been organized in nearly all parts of the United States.

The School has conducted training classes for workers in conjunction with the Cloak Makers' Union and the Waist and Dress Makers' Union of New York City, and has done research work for the use and at the request of these organizations and also of the Bakers', Pressmen's, and Press Feeders' Unions. Among labor organizations whose national conventions or national executive boards have formally endorsed the School are the Amalgamated Clothing Workers of America, the International Ladies' Garment Workers' Union, the United Cloth Hat and Cap Workers, the International Fur Workers' Union, and the Workmen's Circle, which is a workingman's national insurance society with a membership of some 70,000 persons in all parts of the country.

The school has the official endorsement of the Socialist Party of the United States and of many state and local Socialist bodies.

(Signed) ALGERNON LEE,

Educational Director.

Certificate of Incorporation

An Extract of the Certificate of Incorporation is herewith given to show the nature of the American Socialist Society and that the body had the approval of the Supreme Court of the State of New York.

We, the undersigned, of full age, being desirous of associating ourselves together for social, educational and literary purposes as hereinafter is more particularly described, pursuant to and in conformity with Acts of Legislature of the State of New York, relating to Membership Corporations, do hereby certify and declare that we are all of full age, two-thirds of us are citizens of the United States and all of us are residents of the State of New York.

We do further certify and declare as follows:

First: That the particular objects for which said Corporation is formed are as follows, viz.:

- 1. To promote social intercourse and friendship between the members of the society:
 - 2. To study and discuss social and political science;
- 3. To expound the theories of modern socialism by lectures and publications.

Second: That the corporate name by which said Corporation hereby to be formed shall be known and distinguished is and shall be AMERICAN SOCIALIST SOCIETY.

IN TESTIMOY WHEREOF, we have made and signed this Certificate in duplicate and have hereunto set our hands and affixed our respective seals this 20th day of September, one thousand nine hundred and one.

HENRY SLOBODIN	(Seal)
ALGERNON LEE	(Seal)
WILLIAM MAILLY	(Seal)
BENJAMIN HANFORD	(Seal)
MORRIS HILLOUIT	(Seal)

I, JAMES A. O'GORMAN, a Justice of the Supreme Court of the State of New York, of the First Judicial District, do hereby approve the foregoing certificate of incorporation, and consent that the same be filed.

Dated September 23, 1901.

J. A. O'GORMAN,

Justice Supreme Court, First Judicial District.

Certificate filed in the office of Secretary of State of New York, September 27th, 1901; filed in the office of Clerk of County of New York, October 1st, 1901.

The First Battle Won

Hearing Held July 30, 1919

The Rand School has won its first battle in court—won it after it had become apparent that the "case" against it was a baseless fabrication of prejudice and anti-Socialist and anti-Labor propaganda. In a word, the case collapsed. After vainly trying to force the attorney general of the state to come to trial on the action to annul the charter of the American Socialist Society, the attorneys for the school finally forced an admission in open court that the attorney general's office was not prepared.

Then Samuel Untermyer, speaking for himself and S. J. Block and I. M. Sackin, representing the school, did an unprecedented thing. He offered to permit the attorney general to write into the record everything he said he could prove against the school if he had time to get the witnesses. He offered to permit him to amend his complaint in court. He offered to waive the right to the bill of particulars which the court had ordered. He offered to let the state use all the books, papers and witnesses which had been brought to court by the school for its defense. Every safeguard that the law throws around a defendant in presenting his case was surrendered. Still Deputy Attorney General Berger, representing the attorney general's office, refused to go to trial. Then the court dismissed the action.

Mr. Untermyer afterwards had this to say about the outcome of the effort to force the attorney general to come to trial:

"The outcome to-day was the logical outgrowth of this scandalous suit. It was apparent from the day the action was begun that the Attorney General never intended to try it, and no matter how many actions he may begin or how many graind juries he may call or how many farces, such as the Lusk Committee, he may "stage" to produce sensations behind closed doors while the public and the people assailed are scrupulously excluded, in order to mislead the public, he will, in my judgment, never try any of his cases or get any further than misleading newspaper publicity. Whether he will eventually succeed in disrupting this educational institution and destroying freedom of speech and personal liberty remains to be seen. I think not, for the lessons of our history teach us that in the end liberty thrives on persecution.

"The whole proceeding against the Rand School was instituted in a spirit of lawless defiance of constitutional rights and personal liberty, and I felt that it was high time to put an end to that form of judicial despotism. This was my reason for consenting to defend the action."

The effort to crush the school through the annulment of the charter of the American Socialist Society, which conducts the

institution, was a drama in itself. The action was threefold in character—each of its aspects designed to be deadly to the Rand School.

First, an injunction was asked to prevent the school from carrying on its work. Next, a receivership was desired. Last of all, included in this one proceeding, was the action to annul the charter.

The first effort of the attorney general was to rush the school into the injunction and receivership proceedings. Either one would have been fatal to the institution. After arguments by Mr. Untermyer, Mr. Block and Mr. Sackin, Justice McAvoy held that the receivership and injunction proceedings must be determined at the same time that the action to revoke the charter was tried.

It was then that the attorney general assented to an early trial which the Rand School had been demanding, in order that its case might be tried upon sworn testimony in court, rather than in prejudiced newspapers, filled with biased reports furnished by the Lusk legislative committee and the attorney general's office.

The action had been begun by the attorney general, a special term of court had been arranged, witnesses had been summoned at great expense, and the attorney general's representatives had agreed to be ready for trial at a certain time. Yet, when July 30, the date of the trial, came, Deputy Attorney General Berger came into court pleading for more time.

The Rand School has not yet succeeded in getting its story told in court under oath. But it has forced the prosecution to admit its weakness and to bring down upon its head the condemnation of some of those newspapers which have been most earnestly supporting the attorney general. It has won a great victory, but it is not a final victory.

The books and papers taken from the school are still in the hands of the city magistrates, presumably—or it may be that they are actually in the hands of representatives of the Lusk committee. The attorney general threatens to renew his action at a later date. A special grand jury has been called for August 11 before which attempts may be made to obtain indictments against persons connected with the school.

The first battle has been won. There are other and greater battles looming up. Public sentiment is with the school. The power is with its enemies, save as fearless public-spirited citizens, the weight of public sentiment, the force of labor and the radical movement come to its aid. The first battle has been won—in order that this victory shall not be swept away, greater battles, ending in bigger victories, must be fought in the next few months.

EDITORIAL PROTESTS

From *The Brooklyn Eagle*, July 31, 1919, (commenting upon the Attorney General's announcement that he would renew the dismissed action):

"A second instance of big cry and little wool would go far to sustain the claims of persecution which have been so vehemently made in behalf of this institution."

From The New York World, July 31, 1919:

"So ends the spectacular raid on the inner seat of Bolshevism in New York. It proves to have been a raid chiefly on ordinary rights of free speech and is thus calculated to produce quite as much Bolshevism as it suppressed."

From the New York Call, July 31, 1919:

"The Lusk committee has so thoroughly discredited itself that honest men and women merely waver between pity and contempt for its performances. No tribunal of the Middle Ages ever engaged in such a farcical investigation as this group of discredited politicians has."

From the New York Evening Post, July 31, 1919:

"The Rand School was found guilty of selling books on Socialism which might be found on the shelves of the Harvard library. One can only wonder what reasons induced the Committee and the Attorney-General of the State to demand a special Court to deal with the evidence which they must have been aware was painfully inadequate. In refusing to the prosecuting officers a postponement of trial and dismissing the complaint against the Rand School, Judge McAvoy has put the stamp of futility upon the whole affair."

From The New Republic, July 9, 1919:

"Shall an instrument of oppression drawn from the repertory of the star chamber, used by the notorious Chief

EDITORIAL PROTESTS

Justice Scroggs, denounced by the courts a century and a half ago, assailed by our colonial forbears as destructive of liberty and law, and condemned by the Supreme Court as 'abhorrent to the instincts of an American' . . . shall such an instrument be revived in the twentieth century under a constitution and form of government dedicated to liberty and justice?"

From The Nation, July 19, 1919:

"The work of the Lusk Investigating Committee has so far borne fruit in a legal process to vacate the charter of the Rand School. The evidence against the character of the school has all presumably been published, and it is so weak and flimsy that the whole proceeding must be regarded as a peculiarly vicious and vindicative piece of railroading."

From The Dial editorial, July 12, 1919:

"The recent raid made by the Lusk Committee of the New York State Legislature on the Rand School is the distinguished contribution of the Empire State to the national job of clearing the country of radical opinion and making freedom safe for a few."

From The Public, July 19, 1919:

"The Lusk Committee appointed by the New York Legislature to investigate Bolshevism in the State appears to be suffering from a rush of authority to the head, and has turned itself into an inquisition. Safes have been broken into; papers have been seized; such documents as can be tortured into a semblance of illegality were published with unnatural interpretations without giving the accused an opportunity to be heard or make any explanation. The whole affair is conducted after the approved manner of the bigots of the Middle Ages."